

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Baumann et al.

Group Art Unit: 3692 / Conf. # 3427

Application No.: 09/819,462

Examiner: Milef, Elda G.

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Docket No.: **END920000165US1**

Title: **SYSTEM AND METHOD FOR AUTOMATING INVOICE PROCESSING WITH
POSITIVE CONFIRMATION**

Commissioner for Patents
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REPLY BRIEF OF APPELLANT

This Reply Brief is in reply to the Examiner's Answer mailed September 14, 2009.

GROUND OF REJECTION 1

Claims 1, 20, 21, 23-28 and 30-33 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over US 6,507,826 Maners in view of *University of New Hampshire Financial and Administrative Procedures*, (http://www.finadmin.unh.edu/pol_proc/chapter_23/pro23_051.html; Issued by Computing and Information Services; Issued Date: 01/01/94; retrieved date 9/11/06) hereinafter, Procedures in further view of Furphy et al. (hereinafter Furphy, US Patent No. 6,882,983).

Claim 1

Appellants respectfully contend that claim 1 is not unpatentable over Maners in view of Procedures in further view of Furphy, because Maners in view of Procedures in further view of Furphy does not teach or suggest each and every feature of claim 1.

Claim 1 recites three servers (front end server, application server, back end server) which is alleged in the Examiner's Answer, page 11 to be represented in Maners as follows:

the front end server is represented in Maners, FIG. 2 by the computer system 206;

the application server is represented in Maners, FIG. 2 by MicroEDI Server 202;

the back end server is represented in Maners, FIG. 2 by the computer system 210.

Appellants next demonstrate that the preceding server representations in Maners do not satisfy various features of claim 1.

A first reason why claim 1 is not unpatentable over Maners in view of Procedures in

further view of Furphy is that Maners does not disclose the feature: “receiving, by a front end server from a requestor, a ***purchase request*** ...; sending, by the front end server to the back end server, a requisition comprising requirements relating to the received purchase request ...; generating, by the back end server in response to receiving the requisition sent by the front end server, said ***purchase order*** based on the requisition”.

The Examiner’s Answer, page 12 argues: “Regarding the argument that Maners does not disclose generating a purchase request and who the requestor is, the appellant’s attention is directed to Col. 2 lines 6-67 wherein Maners disclose a typical transaction involves a company 1 creating a purchase order, and transmitting the purchase order in EDI format to the vendor company 2. The invention disclosed by Maners seeks to more efficiently perform the task of entering processing and validating such purchase orders. Furthermore, Maners discloses “The first type of invoice is based on orders issued out of a company’s purchasing computer system which typically is part of the company’s accounting computer system 206.”-see col. 5 lines 44-47”.

In response, Appellants note that the preceding feature of claim 1 distinguishes between a “purchase request” and a “purchase order” which the Examiner’s Answer is ignoring. In addition, the Examiner’s Answer fails to establish a *prima facie* case of obviousness at least because the Examiner’s Answer does not even attempt to show that Maners satisfies all limitations required by the preceding feature of claim 1.

Specifically, the preceding feature of claim 1 requires that the back end server (computer system 210) generate the ***purchase order*** based on a requisition received by the back end server (computer system 210) from the front end server (computer system 206), wherein the requisition comprises requirements relating to a ***purchase request*** received by the front end server

(computer system 206) from the requestor.

Therefore, the preceding argument in the Examiner's Answer, page 12 alleging that the computer system 206 (i.e., the front end server) generates the purchase order violates the claimed requirement that the back end server (i.e., the computer system 210) must generate the purchase order. As quoted *supra*, the Examiner's Answer, page 121 alleges that the computer system 210 represents the back end server in Maners.

On the other hand, if the Examiner's Answer really intended (even though not articulated) that the front end server (computer system 206) generates the purchase request rather than the purchase order, then the Examiner's Answer has not have addressed the issue of the claimed requirement that the back end server (i.e., the computer system 210) must generate the purchase order.

In other words, the preceding feature of claim 1 requires that the back end server (alleged by the Examiner to be the computer system 210) must generate the purchase order which Maners does not disclose and which the Examiner does not even allege. In fact, Maners, col. 4, lines 1-2 discloses that the computer system 210 is at the vendor site and thus would fulfill a purchase order rather than generate a purchase order.

Furthermore, Appellants assert that Maners does not disclose that the computer system 210 (i.e., the back end server) generates the purchase order ***based on a requisition received by the computer system 210 (i.e., the back end server) from the computer system 206 (i.e., the front end server)*** as claimed, wherein the requisition comprises requirements relating to a purchase request received by front end server (the computer system 206) from a requestor.

Moreover, Maners does not disclose who the requestor is and thus Maners does not disclose that the purchase request is received by the computer system 206 from the requestor.

Appellants assert that the Examiner has not established a *prima facie* case of obviousness, at least because the Examiner's Answer does not even attempt to show that Maners satisfies all limitations in the preceding feature of claim 1 under the Examiner's allegation that in Maners: the front end server is represented by the computer system 206, the application server is represented by MicroEDI Server 202, and the back end server is represented by the computer system 210.

Therefore, Maners in view of Procedures in further view of Furphy does not disclose the preceding feature of claim 1.

A second reason why claim 1 is not unpatentable over Maners in view of Procedures in further view of Furphy is that Maners does not disclose the feature: "said goods having a designation denoting that the goods are receivable which requires a positive confirmation *from the requestor* to provide authorization to pay for the goods" (emphasis added).

The Examiner's Answer, page 12 argues: "In response to the argument that Maners does not disclose the feature, "said goods having a designation denoting that the goods are receivable which requires a positive confirmation from the requestor to provide authorization to pay for the goods, said designation being stored in the front end server," Maners discloses "When an invoice is in 'posted status', the invoice has been processed by the MicroEDI server202 and determined valid and submitted to the company accounts payable computer system206 for payment processing." Col. 6 lines 52-55. The purchase order information is considered part of the reference data 218 that is exchanged between the company accounting computer system 206 and the MicroEDI database 214. col. 7 lines 25-28."

In response, Appellants acknowledge that Maners, col. 6, lines 52-55 discloses that the
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MicroEDI Server 202 provides positive confirmation to provide authorization to pay for the goods, as the Examiner's Answer argues. However, the preceding feature of claim 1 requires that the positive confirmation be received from the requestor and Maners does not disclose that the MicroEDI Server 202 is the requestor. In fact, the Examiner's Answer ignores the requirement in claim 1 that positive confirmation is required specifically from the requestor.

Therefore, Maners in view of Procedures in further view of Furphy does not disclose the preceding feature of claim 1.

A third reason why claim 1 is not unpatentable over Maners in view of Procedures in further view of Furphy is that Maners does not disclose the feature: "said goods having a designation denoting that the goods are receivable which requires a positive confirmation from the requestor to provide authorization to pay for the goods ..., *said designation being stored in the front end server*" (emphasis added).

Appellants assert that Maners does not disclose that a designation denoting that the goods require the positive confirmation are stored in the front end server (i.e., stored in the computer system 206). In fact, Appellants assert that Maners does even disclose the existence of a designation denoting that the goods require the positive confirmation to provide authorization to pay for the goods.

However, even if it is argued that the "posted" status for an invoice, as disclosed in Maners, col. 6, lines 52-55 is the designation denoting that the goods require the positive confirmation (which Appellants do not agree with), Appellants assert that Maners, col. 6, lines 34-38 discloses that the MicroEDI Server 202 comprises an invoice history table (e.g., the table shown in Maners, FIG. 4) and that Maners, col. 6, lines 52-55 discloses that an invoice having

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the “posted” status is stored in the invoice history table in the MicroEDI Server 202, and not in the front end server (i.e., not in the computer system 206).

Therefore, Maners in view of Procedures in further view of Furphy does not disclose the preceding feature of claim 1.

A fourth reason why claim 1 is not unpatentable over Maners in view of Procedures in further view of Furphy is that Maners does not disclose the feature: “said application server comprising a positive confirmation bridge; ... ***said positive confirmation bridge marking the invoice to indicate that said positive confirmation is required***” (emphasis added).

The Examiner’s Answer, pages 12-13 argues: “In response to the argument that Maners in view of Procedure in view of Furphy do not disclose “said application server comprising a positive confirmation bridge; said positive confirmation bridge marking the invoice to indicate that said positive confirmation is required,” Maners discloses “When an invoice is in ‘posted status’, the invoice has been processed by the MicroEDI server202 and determined valid and submitted to the company accounts payable computer system 206 for payment processing.” Col. 6 lines 52-55; Maners further discloses that the MicroEDI Server 202can be networkly coupled via either the Internet or a company’s Intranet 222 with another computer system 224 for determining authorization of certain invoices for payment using a network server .col. 5 lines 1-22. Maners discloses various designations of invoice dependent on the status of processing, i.e., posted, incomplete, oper hold, refused, ready fax in Fig. 4 and col. 6 lines 48-67.”

In response, Appellants assert that none of the preceding citations to Maners discloses that the application server (i.e., MicroEDI Server 202) comprises a positive confirmation bridge that marks the invoice to indicate that said positive confirmation is required. Instead, the

MicroEDI Server 202 marks the invoice listed in the table shown in Maners, FIG. 4 'as having "posted" status denoting that the invoice is valid. However, Maners does not disclose that the invoice generally, or as listed in the table shown in Maners, FIG. 4, is marked to denote that the positive confirmation is required (see Maners, col. 6, lines 52-55).

Therefore, Maners in view of Procedures in further view of Furphy does not disclose the preceding feature of claim 1.

A fifth reason why claim 1 is not unpatentable over Maners in view of Procedures in further view of Furphy is that Maners does not disclose the feature: "a positive confirmation from the requestor to provide authorization to pay for the goods, ... said front end server comprising a positive confirmation application ..., said positive confirmation application providing notice to the requestor that the invoice has been received and that the invoice includes the required positive confirmation".

Appellants assert that Maners does not disclose that a positive confirmation application in the front end server (i.e., in the computer system 206) providing notice to the requestor that the invoice has been received and that the invoice includes the required positive confirmation of authorization to pay for the goods.

Moreover, Maners does not even identify the requestor and thus does not disclose providing notice to the requestor that the invoice has been received and that the invoice includes the required positive confirmation of authorization to pay for the goods.

Therefore, Maners in view of Procedures in further view of Furphy does not disclose the preceding feature of claim 1.

A sixth reason why claim 1 is not unpatentable over Maners in view of Procedures is that Maners does not disclose the feature: "said front end server receiving a response *from the requestor* for authorizing or rejecting payment for the goods" (emphasis added).

The Examiner's Answer, page 13 argues: "Regarding the arguments that Maners fails to disclose "said front end server receiving a response from the requestor for authorizing or rejecting payment for the goods" and "said front end server recording response in a database." Maners disclose requesting authorization from the company to process orphan invoices, and posting the orphan invoices to the company's account system col. 8 line 50 to col. 9 line 66. It is obvious that in order to "post" an authorized invoice for payment to an accounting system, a database is present to capture the data."

In response, Appellants assert that Maners does not disclose that the front end server (i.e., the computer system 206) receives a response *from the requestor* for authorizing or rejecting payment for the goods. The preceding argument in the Examiner's Answer ignores the requirement that the front end server (i.e., the computer system 206) must receive a response *from the requestor* for authorizing or rejecting payment for the goods.

In fact, Maners discloses that the MicroEDI Server 202 (and not the requestor) authorizes or rejects payment for the goods. See Maners, col. 6, lines 34-36 ("the MicroEDI Server 202 authenticates the vendor ID number and password and determines that a user is authorized") and Maners, col. 6, lines 52-55 ("the invoice has been processed by the MicroEDI Server 202 and determined valid and submitted to the company accounts payable computer system 206 for payment processing").

Moreover, Maners does not even identify the requestor and thus does not disclose that the requestor authorizes or rejects payment for the goods as claimed.

Therefore, Maners in view of Procedures in further view of Furphy does not disclose the preceding feature of claim 1.

Based on the preceding arguments, Appellants respectfully maintain that claim 1 is not unpatentable over Maners in view of Procedures in further view of Furphy, and that claim 1 is in condition for allowance.

Claim 20

Since claim 20 depends from claim 1, which Appellants have argued *supra* to not be unpatentable over Maners in view of Procedures in further view of Furphy under 35 U.S.C. §103(a), Appellants maintain that claim 20 is likewise not unpatentable over Maners in view of Procedures in further view of Furphy under 35 U.S.C. §103(a).

In addition with respect to claim 20, Maners in view of Procedures in further view of Furphy does not disclose the feature: “a response from the requestor for authorizing or rejecting payment for the goods; ... after said front end server receiving the response, said front end server recording the response in the database”.

The Examiner’s Answer, pages 8-9 argues that the preceding feature of claim 20 is disclosed in Maners, col. 5, lines 47-49 and col. 6, lines 59-60.

In response, Appellants cite Maners, col. 5, lines 47-49 which recites: “In this case, the invoice information received from a vendor computer system is validated in real-time before acceptance for posting in the company’s accounting computer system.” Appellants assert that the preceding quote from Maners, col. 5, lines 47-49 discloses posting invoice information in the company’s accounting computer system. In contrast, the preceding feature of claim 20 recites

recording a response for authorizing or rejecting payment for the goods, which does not read on posting invoice information. Therefore, Maners, col. 5, lines 47-49 does not disclose the preceding feature of claim 20.

In further response, Appellants cite Maners, col. 6, lines 59-60 which recites: "An invoice that has been assigned a "refused" status has been rejected for payment", which does not disclose storing data of any kind and is therefore irrelevant to the preceding feature of claim 20.

Accordingly, claim 20 is not unpatentable over Maners in view of Procedures in further view of Furphy.

Claim 21

Since claim 21 depends from claim 1, which Appellants have argued *supra* to not be unpatentable over Maners in view of Procedures in further view of Furphy under 35 U.S.C. §103(a), Appellants maintain that claim 21 is likewise not unpatentable over Maners in view of Procedures in further view of Furphy under 35 U.S.C. §103(a).

In addition with respect to claim 21, Maners in view of Procedures in further view of Furphy does not disclose the feature: "said front end server receiving a response *from the requestor* for authorizing or rejecting payment for the goods; ... wherein the received response is for authorizing payment for the goods".

The Examiner's Answer, pages 8-9 argues that the preceding feature of claim 21 is disclosed in Maners, col. 5, lines 47-49 and col. 6, lines 59-60.

In response, Appellants cite Maners, col. 5, lines 47-49 which recites: "In this case, the invoice information received from a vendor computer system is validated in real-time before acceptance for posting in the company's accounting computer system." Appellants assert that

the preceding quote from Maners, col. 5, lines 47-49 relates to invoice information and not to a response for authorizing payment for the goods. Therefore, Maners, col. 5, lines 47-49 does not disclose the preceding feature of claim 21.

In further response, Appellants cite Maners, col. 6, lines 59-60 which recites: "An invoice that has been assigned a "refused" status has been rejected for payment", which does not disclose storing anything relating to a response for authorizing payment for the goods and is therefore irrelevant to the preceding feature of claim 21.

The Examiner's Answer, page 13 argues: "In response to the argument that Maners in view of Procedures, in further view of Furphy do not disclose "wherein the received response is for authorizing payment for the goods", Maners disclose requesting authorization from the company to process orphan invoices, and posting the orphan invoices to the company's account system col.8 line 50 to col. 9 line 66."

In response, Appellants cite Maners, col. 9, lines 29-34 recites: "After the authorizing agent signs on, at Step 328, the authorizing agent (or orphan release manager) provides a payment authorization signal (such as entering payment authorization information 226) at Step 326 to instruct the MicroEDI Application 220 to authorize payment on a particular invoice."

Thus, Maners, col. 9, lines 29-34 discloses that authorization for payment for the goods is received from the MicroEDI Server 202 *and not from the requestor* as claimed. Maners does not even identify who the requestor is.

Accordingly, claim 21 is not unpatentable over Maners in view of Procedures in further view of Furphy.

Claim 23

Since claim 23 depends from claim 1, which Appellants have argued *supra* to not be unpatentable over Maners in view of Procedures in further view of Furphy under 35 U.S.C. §103(a), Appellants maintain that claim 23 is likewise not unpatentable over Maners in view of Procedures in further view of Furphy under 35 U.S.C. §103(a).

Claim 24

Since claim 24 depends from claim 1, which Appellants have argued *supra* to not be unpatentable over Maners in view of Procedures in further view of Furphy under 35 U.S.C. §103(a), Appellants maintain that claim 24 is likewise not unpatentable over Maners in view of Procedures in further view of Furphy under 35 U.S.C. §103(a).

In addition with respect to claim 24, Maners in view of Procedures in further view of Furphy does not disclose the feature: “wherein the notice directs the requestor to ***a location where the positive confirmation can be performed***”.

The Examiner’s Answer, page 9 argues: “Re Claim 24: Maners discloses providing notice to the requestor to a location where positive confirmation can be performed. "And an invoice that is assigned an 'operational hold' status is being held for validation and posting until certain information and/or authorization can be obtained by the Micro EDI server 202. Typically, an operational hold' status for an invoice requires additional information or authorization be entered into the MicroEDI Server 202 by company personnel." Col. 6 lines 60-67; and notification of authorization agent in col. 9, also col. 11 claims 5,8.”

In response, Appellants assert that the preceding argument in the Examiner’s Answer and discussion of Maners, col. 6, lines 60-67 discloses that an operational hold' status for an invoice requires additional information or authorization be entered into the MicroEDI Server 202 by

company personnel, which does not disclose that the notice directs the requestor to a location where the positive confirmation can be performed as claimed.

In further response, Appellants assert that citations to Maners in the preceding argument in the Examiner's Answer relates to an operational hold status for an invoice (Maners, col. 6, lines 60-67) and an orphan invoice requiring a release authorization (Maners, col. 9, lines 5-8), which does not disclose that the notice directs the requestor to a location where the positive confirmation can be performed as claimed.

In further response, Appellants assert that Maners, claim 5 (cited in the preceding argument in the Examiner's Answer) recites "wherein the invoice information includes an authorizing agent and wherein the invoice processing server is further operable to notify the authorizing agent to determine if the invoice is authorized for processing", which does not disclose that the notice directs the requestor to a location where the positive confirmation can be performed as claimed.

In further response, Appellants assert that Maners, claim 8 (cited in the preceding argument in the Examiner's Answer) recites "sending a message to an authorizing agent requesting payment authorization to validate the invoice information", which does not disclose that the notice directs the requestor to a location where the positive confirmation can be performed as claimed.

The Examiner's Answer, pages 13-14 argues: "Regarding the suggestion that Maners does not disclose wherein the notice directs the requestor to a location where the positive confirmation can be performed. Maners discloses seeking an authorizing agent within the company who will provide a payment authorization signal. Col. 9 lines 1-65.

In response, Appellants assert that the preceding argument in the Examiner's Answer,
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pages 13-14 does not address the claimed feature of “wherein the notice directs the requestor to a location where the positive confirmation can be performed”

Accordingly, claim 24 is not unpatentable over Maners in view of Procedures in further view of Furphy.

Claim 25

Since claim 25 depends from claim 1, which Appellants have argued *supra* to not be unpatentable over Maners in view of Procedures in further view of Furphy under 35 U.S.C. §103(a), Appellants maintain that claim 25 is likewise not unpatentable over Maners in view of Procedures in further view of Furphy under 35 U.S.C. §103(a).

In addition with respect to claim 25, Maners in view of Procedures in further view of Furphy does not disclose the feature: “wherein the application server further comprises a confirmation interface to the database, wherein the confirmation interface is configured to be executed by the positive confirmation application, and wherein the method further comprises after said providing notice and before said receiving the response: providing the confirmation interface to the requestor to enable the requestor to both enter an identifier of the invoice and obtain access to data comprised by the invoice”.

The Examiner’s Answer, page 9 argues: “Re Claims 25, 26: Maners do not specifically disclose wherein the application server further comprises a confirmation interface to the database, Furphy however teaches a communication interface provided to both the buying and selling companies to resolve discrepancies between the purchase order data and the invoice data. Col. 4 lines 32-35; col. 5 lines 20-28; col. 8 lines 33-41 response via interface.”

In response, Appellants assert that the allegation in the preceding argument in the
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Examiner's Answer (with respect to Furphy) of a "communication interface provided to both the buying and selling companies to resolve discrepancies between the purchase order data and the invoice data" does not read on "the confirmation interface ... to enable the requestor to both enter an identifier of the invoice and obtain access to data comprised by the invoice" as claimed.

Accordingly, claim 25 is not unpatentable over Maners in view of Procedures in further view of Furphy.

Claim 26

Since claim 26 depends from claim 1, which Appellants have argued *supra* to not be unpatentable over Maners in view of Procedures in further view of Furphy under 35 U.S.C. §103(a), Appellants maintain that claim 26 is likewise not unpatentable over Maners in view of Procedures in further view of Furphy under 35 U.S.C. §103(a).

Claim 27

As to claim 27, the Examiner's Answer argues: "**Claim 27** has similar limitations found in claims 1 and 20 in combination, and therefore is rejected by the same art and rationale."

In response, Appellants note that the Examiner's Answer has not even addressed the following feature of claim 27 which does not appear in claim 1: "said notice directing the requestor to a location where the positive confirmation can be performed".

In further response, Appellants note that the Examiner's Answer has not even addressed the following feature of claim 27 which does not appear in claim 1: "after said front end server receiving the response, said front end server recording the response in the database".

Appellants assert that Maners in view of Procedures in further view of Furphy does not

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disclose the preceding two features of claim 27, as discussed *infra*, in conjunction with a seventh reason and an eighth reason why claim 27 is not unpatentable over Maners in view of Procedures in further view of Furphy.

By failing to state any argument to demonstrate that Maners in view of Procedures in further view of Furphy allegedly discloses the preceding two features of claim 27, and even failing to acknowledge and address the very existence of the two preceding two features in claim 27, the Examiner's Answer has failed to establish a *prima facie* case in relation to claim 27. Accordingly, Appellants assert that the rejection of claim 27 under 35 U.S.C. § 103(a) should be reversed irrespective of whether or not Maners in view of Procedures in further view of Furphy fails disclose any other features of claim 27.

Appellants next present additional arguments in traverse of the rejection of claim 27, wherein the additional arguments are analogous to the arguments presented *supra* for claim 1.

Appellants respectfully contend that claim 27 is not unpatentable over Maners in view of Procedures in further view of Furphy, because Maners in view of Procedures in further view of Furphy does not teach or suggest each and every feature of claim 27.

Claim 27 recites three servers (front end server, application server, back end server) which is alleged in the Examiner's Answer, page 11 to be represented in Maners as follows:

the front end server is represented in Maners, FIG. 2 by the computer system 206;

the application server is represented in Maners, FIG. 2 by MicroEDI Server 202;

the back end server is represented in Maners, FIG. 2 by the computer system 210.

Appellants next demonstrate that the preceding server representations in Maners do not satisfy various features of claim 27.

A first reason why claim 27 is not unpatentable over Maners in view of Procedures in further view of Furphy is that Maners does not disclose the feature: "receiving, by a front end server from a requestor, the *purchase request* ...; sending, by the front end server to the back end server, a requisition comprising requirements relating to the received purchase request ...; generating, by the back end server in response to receiving the requisition sent by the front end server, a *purchase order* based on the requisition".

The Examiner's Answer, page 12 argues: "Regarding the argument that Maners does not disclose generating a purchase request and who the requestor is, the appellant's attention is directed to Col. 2 lines 6-67 wherein Maners disclose a typical transaction involves a company 1 creating a purchase order, and transmitting the purchase order in EDI format to the vendor company 2. The invention disclosed by Maners seeks to more efficiently perform the task of entering processing and validating such purchase orders. Furthermore, Maners discloses "The first type of invoice is based on orders issued out of a company's purchasing computer system which typically is part of the company's accounting computer system 206."-see col. 5 lines 44-47".

In response, Appellants note that the preceding feature of claim 27 distinguishes between a "purchase request" and a "purchase order" which the Examiner's Answer is ignoring. In addition, the Examiner's Answer fails to establish a *prima facie* case of obviousness et least because the Examiner's Answer does not even attempt to show that Maners satisfies all limitations required by the preceding feature of claim 27.

Specifically, the preceding feature of claim 27 requires that the back end server (computer system 210) generate the ***purchase order*** based on a requisition received by the back end server (computer system 210) from the front end server (computer system 206), wherein the requisition comprises requirements relating to a ***purchase request*** received by the front end server (computer system 206) from the requestor.

Therefore, the preceding argument in the Examiner's Answer, page 12 alleging that the computer system 206 (i.e., the front end server) generates the purchase order violates the claimed requirement that the back end server (i.e., the computer system 210) must generate the purchase order. As quoted *supra*, the Examiner's Answer, page 121 alleges that the computer system 210 represents the back end server in Maners.

On the other hand, if the Examiner's Answer really intended (even though not articulated) that the front end server (computer system 206) generates the purchase request rather than the purchase order, then the Examiner's Answer has not have addressed the issue of the claimed requirement that the back end server (i.e., the computer system 210) must generate the purchase order.

In other words, the preceding feature of claim 27 requires that the back end server (alleged by the Examiner to be the computer system 210) must generate the purchase order which Maners does not disclose and which the Examiner does not even allege. In fact, Maners, col. 4, lines 1-2 discloses that the computer system 210 is at the vendor site and thus would fulfill a purchase order rather than generate a purchase order.

Furthermore, Appellants assert that Maners does not disclose that the computer system 210 (i.e., the back end server) generates the purchase order ***based on a requisition received by the computer system 210 (i.e., the back end server) from the computer system 206 (i.e., the***

front end server) as claimed, wherein the requisition comprises requirements relating to a purchase request received by front end server (the computer system 206) from a requestor.

Moreover, Maners does not disclose who the requestor is and thus Maners does not disclose that the purchase request is received by the computer system 206 from the requestor.

Appellants assert that the Examiner has not established a *prima facie* case of obviousness, at least because the Examiner's Answer does not even attempt to show that Maners satisfies all limitations in the preceding feature of claim 27 under the Examiner's allegation that in Maners: the front end server is represented by the computer system 206, the application server is represented by MicroEDI Server 202, and the back end server is represented by the computer system 210.

Therefore, Maners in view of Procedures in further view of Furphy does not disclose the preceding feature of claim 27.

A second reason why claim 27 is not unpatentable over Maners in view of Procedures in further view of Furphy is that Maners does not disclose the feature: "said goods or services having a designation denoting that the goods or services are receivable which requires a positive confirmation *from the requestor* to provide authorization to pay for the goods and services " (emphasis added).

The Examiner's Answer, page 12 argues: "In response to the argument that Maners does not disclose the feature, "said goods having a designation denoting that the goods are receivable which requires a positive confirmation from the requestor to provide authorization to pay for the goods, said designation being stored in the front end server," Maners discloses "When an invoice is in 'posted status', the invoice has been processed by the MicroEDI server202 and determined

valid and submitted to the company accounts payable computer system 206 for payment processing." Col. 6 lines 52-55. The purchase order information is considered part of the reference data 218 that is exchanged between the company accounting computer system 206 and the MicroEDI database 214. col. 7 lines 25-28."

In response, Appellants acknowledge that Maners, col. 6, lines 52-55 discloses that the MicroEDI Server 202 provides positive confirmation to provide authorization to pay for the goods, as the Examiner's Answer argues. However, the preceding feature of claim 27 requires that the positive confirmation be received from the requestor and Maners does not disclose that the MicroEDI Server 202 is the requestor. In fact, the Examiner's Answer ignores the requirement in claim 27 that positive confirmation is required specifically from the requestor.

Therefore, Maners in view of Procedures in further view of Furphy does not disclose the preceding feature of claim 27.

A third reason why claim 27 is not unpatentable over Maners in view of Procedures in further view of Furphy is that Maners does not disclose the feature: "said goods or services having a designation denoting that the goods or services are receivable which requires a positive confirmation from the requestor to provide authorization to pay for the goods and services ..., ***said designation being stored in the front end server***" (emphasis added).

Appellants assert that Maners does not disclose that a designation denoting that the goods require the positive confirmation are stored in the front end server (i.e., stored in the computer system 206). In fact, Appellants assert that Maners does even disclose the existence of a designation denoting that the goods require the positive confirmation to provide authorization to pay for the goods.

However, even if it is argued that the “posted” status for an invoice, as disclosed in Maners, col. 6, lines 52-55 is the designation denoting that the goods require the positive confirmation (which Appellants do not agree with), Appellants assert that Maners, col. 6, lines 34-38 discloses that the MicroEDI Server 202 comprises an invoice history table (e.g., the table shown in Maners, FIG. 4) and that Maners, col. 6, lines 52-55 discloses that an invoice having the “posted” status is stored in the invoice history table in the MicroEDI Server 202, and not in the front end server (i.e., not in the computer system 206).

Therefore, Maners in view of Procedures in further view of Furphy does not disclose the preceding feature of claim 27.

A fourth reason why claim 27 is not unpatentable over Maners in view of Procedures in further view of Furphy is that Maners does not disclose the feature: “said application server comprising a positive confirmation bridge; ... *said positive confirmation bridge marking the invoice to indicate that said positive confirmation is required*” (emphasis added).

The Examiner’s Answer, pages 12-13 argues: “In response to the argument that Maners in view of Procedure in view of Furphy do not disclose “said application server comprising a positive confirmation bridge; said positive confirmation bridge marking the invoice to indicate that said positive confirmation is required,” Maners discloses “When an invoice is in ‘posted status’, the invoice has been processed by the MicroEDI server202 and determined valid and submitted to the company accounts payable computer system 206 for payment processing.” Col. 6 lines 52-55; Maners further discloses that the MicroEDI Server 202 can be networkly coupled via either the Internet or a company’s Intranet 222 with another computer system 224 for determining authorization of certain invoices for payment using a network server .col. 5 lines

1-22. Maners discloses various designations of invoice dependent on the status of processing, i.e., posted, incomplete, open hold, refused, ready fax in Fig. 4 and col. 6 lines 48-67.”

In response, Appellants assert that none of the preceding citations to Maners discloses that the application server (i.e., MicroEDI Server 202) comprises a positive confirmation bridge that marks the invoice to indicate that said positive confirmation is required. Instead, the MicroEDI Server 202 marks the invoice listed in the table shown in Maners, FIG. 4 as having “posted” status denoting that the invoice is valid. However, Maners does not disclose that the invoice generally, or as listed in the table shown in Maners, FIG. 4, is marked to denote that the positive confirmation is required (see Maners, col. 6, lines 52-55).

Therefore, Maners in view of Procedures in further view of Furphy does not disclose the preceding feature of claim 27.

A fifth reason why claim 27 is not unpatentable over Maners in view of Procedures in further view of Furphy is that Maners does not disclose the feature: “a positive confirmation from the requestor to provide authorization to pay for the goods and services, ... said front end server comprising a positive confirmation application ..., said positive confirmation application providing notice to the requestor that the invoice has been received and that the invoice includes the required positive confirmation”.

Appellants assert that Maners does not disclose that a positive confirmation application in the front end server (i.e., in the computer system 206) providing notice to the requestor that the invoice has been received and that the invoice includes the required positive confirmation of authorization to pay for the goods.

Moreover, Maners does not even identify the requestor and thus does not disclose

providing notice to the requestor that the invoice has been received and that the invoice includes the required positive confirmation of authorization to pay for the goods.

Therefore, Maners in view of Procedures in further view of Furphy does not disclose the preceding feature of claim 27.

A sixth reason why claim 27 is not unpatentable over Maners in view of Procedures is that Maners does not disclose the feature: "said front end server receiving a response *from the requestor* for authorizing or rejecting payment for the goods or services" (emphasis added).

The Examiner's Answer, page 13 argues: "Regarding the arguments that Maners fails to disclose "said front end server receiving a response from the requestor for authorizing or rejecting payment for the goods" and "said front end server recording response in a database." Maners disclose requesting authorization from the company to process orphan invoices, and posting the orphan invoices to the company's account system col. 8 line 50 to col. 9 line 66. It is obvious that in order to "post" an authorized invoice for payment to an accounting system, a database is present to capture the data."

In response, Appellants assert that Maners does not disclose that the front end server (i.e., the computer system 206) receives a response *from the requestor* for authorizing or rejecting payment for the goods. The preceding argument in the Examiner's Answer ignores the requirement that the front end server (i.e., the computer system 206) must receive a response *from the requestor* for authorizing or rejecting payment for the goods.

In fact, Maners discloses that the MicroEDI Server 202 (and not the requestor) authorizes or rejects payment for the goods. See Maners, col. 6, lines 34-36 ("the MicroEDI Server 202 authenticates the vendor ID number and password and determines that a user is authorized") and S/N: 09/819,462

Maners, col. 6, lines 52-55 (“the invoice has been processed by the MicroEDI Server 202 and determined valid and submitted to the company accounts payable computer system 206 for payment processing”).

Moreover, Maners does not even identify the requestor and thus does not disclose that the requestor authorizes or rejects payment for the goods as claimed.

Therefore, Maners in view of Procedures in further view of Furphy does not disclose the preceding feature of claim 27.

A seventh reason why claim 27 is not unpatentable over Maners in view of Procedures in further view of Furphy is that Maners does not disclose the feature: “said positive confirmation application providing notice to the requestor that the invoice has been received and that the invoice includes the required positive confirmation, said notice directing the requestor to a location where the positive confirmation can be performed”.

As stated *supra*, the Examiner’s Answer has not even addressed the recited feature of “said notice directing the requestor to a location where the positive confirmation can be performed” and has thus failed to establish a *prima facie* case of obviousness in relation to claim 27.

In addition, Appellants have explained *supra* in conjunction with the fifth reason that Maners does not disclose that a positive confirmation application in the front end server (i.e., in the computer system 206) provides notice to the requestor that the invoice has been received.

Furthermore, Appellants assert that Maners does not disclose that such notice, which states that the invoice has been received and that includes the required positive confirmation, also directs the requestor to a location where the positive confirmation can be performed”.

Therefore, Maners in view of Procedures in further view of Furphy does not disclose the preceding feature of claim 27.

An eighth reason why claim 27 is not unpatentable over Maners in view of Procedures in further view of Furphy is that Maners does not disclose the feature: “after said front end server receiving the response, said front end server recording the response in the database”.

As stated *supra*, the Examiner’s Answer has not even addressed the recited feature of “after said front end server receiving the response, said front end server recording the response in the database” and has thus failed to establish a *prima facie* case of obviousness in relation to claim 27.

In addition, Appellants note that Maners, col. 6, lines 52-56 recites: “When an invoice is in ‘posted’ status, the invoice has been processed by the MicroEDI Server 202 and determined valid and submitted to the company accounts payable computer system 206 for payment processing”, which does not disclose recording the response (for authorizing or rejecting payment for the goods) in the database.

Therefore, Maners in view of Procedures in further view of Furphy does not disclose the preceding feature of claim 27.

Based on the preceding arguments, Appellants respectfully maintain that claim 27 is not unpatentable over Maners in view of Procedures in further view of Furphy, and that claim 27 is in condition for allowance.

Claim 28

Since claim 28 depends from claim 27, which Appellants have argued *supra* to not be unpatentable over Maners in view of Procedures in further view of Furphy under 35 U.S.C. §103(a), Appellants maintain that claim 28 is likewise not unpatentable over Maners in view of Procedures in further view of Furphy under 35 U.S.C. §103(a).

In addition with respect to claim 28, Maners in view of Procedures in further view of Furphy does not disclose the feature: "said front end server receiving a response *from the requestor* for authorizing or rejecting payment for the goods; ... wherein the received response is for authorizing payment for the goods".

The Examiner's Answer, pages 8-9 argues that the preceding feature of claim 28 is disclosed in Maners, col. 5, lines 47-49 and col. 6, lines 59-60.

In response, Appellants cite Maners, col. 5, lines 47-49 which recites: "In this case, the invoice information received from a vendor computer system is validated in real-time before acceptance for posting in the company's accounting computer system." Appellants assert that the preceding quote from Maners, col. 5, lines 47-49 relates to invoice information and not to a response for authorizing payment for the goods. Therefore, Maners, col. 5, lines 47-49 does not disclose the preceding feature of claim 28.

In further response, Appellants cite Maners, col. 6, lines 59-60 which recites: "An invoice that has been assigned a "refused" status has been rejected for payment", which does not disclose storing anything relating to a response for authorizing payment for the goods and is therefore irrelevant to the preceding feature of claim 28.

The Examiner's Answer, page 13 argues: "In response to the argument that Maners in view of Procedures, in further view of Furphy do not disclose "wherein the received response is for authorizing payment for the goods", Maners disclose requesting authorization from the

company to process orphan invoices, and posting the orphan invoices to the company's account system col.8 line 50 to col. 9 line 66.”

In response, Appellants cite Maners, col. 9, lines 29-34 recites: “After the authorizing agent signs on, at Step 328, the authorizing agent (or orphan release manager) provides a payment authorization signal (such as entering payment authorization information 226) at Step 326 to instruct the MicroEDI Application 220 to authorize payment on a particular invoice.”

Thus, Maners, col. 9, lines 29-34 discloses that authorization for payment for the goods is received from the MicroEDI Server 202 *and not from the requestor* as claimed. Maners does not even identify who the requestor is.

Accordingly, claim 28 is not unpatentable over Maners in view of Procedures in further view of Furphy.

Claim 30

Since claim 30 depends from claim 27, which Appellants have argued *supra* to not be unpatentable over Maners in view of Procedures in further view of Furphy under 35 U.S.C. §103(a), Appellants maintain that claim 30 is likewise not unpatentable over Maners in view of Procedures in further view of Furphy under 35 U.S.C. §103(a).

Claim 31

Since claim 31 depends from claim 27, which Appellants have argued *supra* to not be

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unpatentable over Maners in view of Procedures in further view of Furphy under 35 U.S.C. §103(a), Appellants maintain that claim 31 is likewise not unpatentable over Maners in view of Procedures in further view of Furphy under 35 U.S.C. §103(a).

In addition with respect to claim 31, Maners in view of Procedures in further view of Furphy does not disclose the feature: "wherein the notice directs the requestor to ***a location where the positive confirmation can be performed***".

The Examiner's Answer, page 9 argues: "Re Claim 24: Maners discloses providing notice to the requestor to a location where positive confirmation can be performed. "And an invoice that is assigned an 'operational hold' status is being held for validation and posting until certain information and/or authorization can be obtained by the Micro EDI server 202. Typically, an operational hold' status for an invoice requires additional information or authorization be entered into the MicroEDI Server 202 by company personnel." Col. 6 lines 60-67; and notification of authorization agent in col. 9, also col. 11 claims 5,8."

In response, Appellants assert that the preceding argument in the Examiner's Answer and discussion of Maners, col. 6, lines 60-67 discloses that an operational hold' status for an invoice requires additional information or authorization be entered into the MicroEDI Server 202 by company personnel, which does not disclose that the notice directs the requestor to a location where the positive confirmation can be performed as claimed.

In further response, Appellants assert that citations to Maners in the preceding argument in the Examiner's Answer relates to an operational hold status for an invoice (Maners, col. 6, lines 60-67) and an orphan invoice requiring a release authorization (Maners, col. 9, lines 5-8), which does not disclose that the notice directs the requestor to a location where the positive confirmation can be performed as claimed.

In further response, Appellants assert that Maners, claim 5 (cited in the preceding argument in the Examiner's Answer) recites "wherein the invoice information includes an authorizing agent and wherein the invoice processing server is further operable to notify the authorizing agent to determine if the invoice is authorized for processing", which does not disclose that the notice directs the requestor to a location where the positive confirmation can be performed as claimed.

In further response, Appellants assert that Maners, claim 8 (cited in the preceding argument in the Examiner's Answer) recites "sending a message to an authorizing agent requesting payment authorization to validate the invoice information", which does not disclose that the notice directs the requestor to a location where the positive confirmation can be performed as claimed.

The Examiner's Answer, pages 13-14 argues: "Regarding the suggestion that Maners does not disclose wherein the notice directs the requestor to a location where the positive confirmation can be performed. Maners discloses seeking an authorizing agent within the company who will provide a payment authorization signal. Col. 9 lines 1-65.

In response, Appellants assert that the preceding argument in the Examiner's Answer, pages 13-14 does not address the claimed feature of "wherein the notice directs the requestor to a location where the positive confirmation can be performed"

Accordingly, claim 31 is not unpatentable over Maners in view of Procedures in further view of Furphy.

Claim 32

Since claim 32 depends from claim 27, which Appellants have argued *supra* to not be
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unpatentable over Maners in view of Procedures in further view of Furphy under 35 U.S.C. §103(a), Appellants maintain that claim 32 is likewise not unpatentable over Maners in view of Procedures in further view of Furphy under 35 U.S.C. §103(a).

In addition with respect to claim 32, Maners in view of Procedures in further view of Furphy does not disclose the feature: “wherein the application server further comprises a confirmation interface to the database, wherein the confirmation interface is configured to be executed by the positive confirmation application, and wherein the method further comprises after said providing notice and before said receiving the response: providing the confirmation interface to the requester to enable the requestor to both enter an identifier of the invoice and obtain access to data comprised by the invoice”.

The Examiner’s Answer, page 9 argues: “Re Claims 25, 26: Maners do not specifically disclose wherein the application server further comprises a confirmation interface to the database, Furphy however teaches a communication interface provided to both the buying and selling companies to resolve discrepancies between the purchase order data and the invoice data. Col. 4 lines 32-35; col. 5 lines 20-28; col. 8 lines 33-41 response via interface.”

In response, Appellants assert that the allegation in the preceding argument in the Examiner’s Answer (with respect to Furphy) of a “communication interface provided to both the buying and selling companies to resolve discrepancies between the purchase order data and the invoice data” does not read on “the confirmation interface ... to enable the requestor to both enter an identifier of the invoice and obtain access to data comprised by the invoice” as claimed.

Accordingly, claim 32 is not unpatentable over Maners in view of Procedures in further view of Furphy.

Claim 33

Since claim 33 depends from claim 27, which Appellants have argued *supra* to not be unpatentable over Maners in view of Procedures in further view of Furphy under 35 U.S.C. §103(a), Appellants maintain that claim 33 is likewise not unpatentable over Maners in view of Procedures in further view of Furphy under 35 U.S.C. §103(a).

GROUND OF REJECTION 2

Claims 22 and 29 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Maners, Procedures, and Furphy as applied to claim 21 above, and further in view of Gershenfeld, (Gershenfeld, Nancy. "Client-server: What Is It and Are We There Yet?" Online. Medford: Mar. 1995. Vol. 19, Iss. 2; pg. 60, 5 pages).

Claim 22

Since claim 22 depends from claim 1, which Appellants have argued *supra* to not be unpatentable over Maners in view of Procedures in further view of Furphy under 35 U.S.C. §103(a), Appellants maintain that claim 22 is likewise not unpatentable over Maners, Procedures, and Furphy, and further in view of Gershenfeld under 35 U.S.C. §103(a).

In addition with respect to claim 22, Maners, Procedures, and Furphy, and further in view of Gershenfeld does not disclose the feature: "said application server notifying the back end server via the requisition bridge that payment for the goods has been authorized".

The Examiner's Answer argues: "Maners discloses "When an invoice is in "posted" status, the invoice has been processed by the Micro EDI server 220 and determined valid and submitted to the company accounts payable computer system 206 for payment processing." Col. 6 lines 52-55; Fig. 4."

In response, Appellants note that the Examiner's Answer is alleging that the preceding quote from Maners, col. 6, lines 52-54 discloses the step of "notifying the back end server via the requisition bridge that payment for the goods has been authorized" as claimed, which Appellants do not agree with because the back end server in Maners is the computer system 210 which is the vendor and not the computer system 206 disclosed in Maners, col. 6, lines 52-54.

Accordingly, claim 22 is not unpatentable over Maners, Procedures, and Furphy, and further in view of Gershenfeld.

Claim 29

Since claim 29 depends from claim 27, which Appellants have argued *supra* to not be unpatentable over Maners in view of Procedures in further view of Furphy under 35 U.S.C. §103(a), Appellants maintain that claim 29 is likewise not unpatentable over Maners, Procedures, and Furphy, and further in view of Gershenfeld under 35 U.S.C. §103(a).

In addition with respect to claim 29, Maners, Procedures, and Furphy, and further in view of Gershenfeld does not disclose the feature: "said application server notifying the back end server via the requisition bridge that payment for the goods has been authorized".

The Examiner's Answer argues: "Maners discloses "When an invoice is in "posted" status, the invoice has been processed by the Micro EDI server 220 and determined valid and submitted to the company accounts payable computer system 206 for payment processing." Col. 6 lines 52-55; Fig. 4."

In response, Appellants note that the Examiner's Answer is alleging that the preceding quote from Maners, col. 6, lines 52-54 discloses the step of "notifying the back end server via the requisition bridge that payment for the goods has been authorized" as claimed, which Appellants do not agree with because the back end server in Maners is the computer system 210 which is the vendor and not the computer system 206 disclosed in Maners, col. 6, lines 52-54.

Accordingly, claim 29 is not unpatentable over Maners, Procedures, and Furphy, and further in view of Gershenfeld.

SUMMARY

In summary, Appellants respectfully requests reversal of the January 21, 2009 Office Action rejection of claims 1 and 20-33.

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